

ORDINANCE 121043

AN ORDINANCE relating to historic preservation, imposing controls upon Gas Works Park, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on March 17, 1999 voted to approve the nomination of the Gas Works Park in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 21, 1999 the Board voted to approve the designation of the Gas Works Park and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on June 21, 2000 the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. DESIGNATION: The designation by the Landmarks Preservation Board of Gas Works Park, and its site, described as:

Beginning at the Northeast corner of Lot 1, Block 42, Lake Union Shore Lands; thence south 23 degrees 06 feet 21.7" East along the southwesterly line of Waterway No. 19, a distance of 559.843 feet, thence south 22 degrees 27 feet 54.3" west, a distance of 224.992 feet thence south 70 degrees 23 feet 49.8" west, a distance of 381.54 feet; thence north 89 degrees 46 feet 15.2" west a distance of 537.658 feet to the most southerly corner of Lot 2, Block 44, Lake Union Shire Lands; thence north 48 degrees 26 feet 05.3" west along the southwesterly line of said Block 44 to the most westerly corner of Lot 1, said block; thence continuing 48 degrees 26 feet 05.3" west along the southeasterly line of Block 45, Lake Union Shire Lands to the most westerly corner of Lot 5, said lock; thence northeasterly along the northwesterly lines of Lot 5, Block 45 and Lot 5, Block 8, Burke's First Addition to the City of Seattle according to plat thereof recorded in Volume 1 of plats page 236, in King County, Washington; thence southeasterly along the northeasterly line of said Block 8 projected, to point of intersection with a line connecting the most northerly corner of Block 44, Lake Union Shore Lands to the southwesterly corner of Lot 6, Block 6



1 thence north along the west line of block 3, Supplemental Plat of Block 3, Burke's
2 Addition to the City of Seattle as recorded in Volume 2 of Plats pate 109, to the
3 southerly line of the Burlington Northern's railway right of way; thence westerly
4 along said southerly line to the east line of Block 2, said Burke's First Addition;
5 thence south along said east line to a point thereon distant 60 feet north of the
6 southeast corner therefrom; thence along a curve to the right having a uniform radius
7 of 796.82 feet to a point on the southwesterly lone of Lot 8, said Block 2, distant 25
8 feet southeasterly of its intersection with the west line of said Lot 8; thence
9 northwesterly along said southwesterly line to the west line of said Lot 8; thence
10 north along said west line to its intersection with the northerly line to its intersection
11 with the westerly line of said Block 1; thence northerly along said westerly line to
12 the south line of Northlake Way North as established by Ordinance No. 33626;
13 thence east along said south line to the beginning; together with the vacated streets
14 therein; except any portion therein lying within the Burlington Northern railway right
15 of way

16
17 as a Landmark based upon satisfaction of the following standards of SMC Section
18 25.12.350:

19
20 C. It is associated in a significant way with a significant aspect of the cultural,
21 political, or economic heritage of the community, City, state or nation;

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23 E. It is an outstanding work of a designer or builder;

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25 F. Because of its prominence of spatial location, contrasts of siting, age, or scale, it
26 is an easily identifiable visual feature of its neighborhood and the City and contributes to the
27 distinctive quality and identity of its neighborhood and the City;

28
29 is hereby acknowledged.

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31 Section 2. CONTROLS: The following controls are hereby imposed on the features
32 and characteristics of the Gas Works Park and its site, that were designated by the Board for
33 preservation:

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35 A. CERTIFICATE OF APPROVAL PROCESS

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37 1. A Certificate of Approval, issued by the City of Seattle's Landmarks
38 Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time
39 for denying a Certificate of Approval application must have expired, before the owner may
40 make alterations or significant changes to:

41
42 The entire site, including the exteriors of all buildings and structures.

43
44 2. A Certificate of Approval is not required for any in-kind maintenance or
45 repairs of the features listed in subsection 1. In-kind maintenance and repair is defined for
46 this landmark site as those actions including, but not limited, to re-painting and re-staining
47 playground equipment and furniture with the existing color(s), re-paving and re-stripping of
48 parking lot and in-kind replacement of chain link fences.



3. To ensure the public health and safety of Park users, and to protect the Park's environment, a Certificate of Approval is not required for any work required by the Consent Decree entered into King County Superior Court on December 23, 1999 and as outlined in the Engineering Design Report approved by the Landmarks Preservation Board on May 17, 2000 and attached to the Controls and Incentives Agreement as Exhibit A with the exception of the shoreline erosion control design for which a Certificate of Approval is required.

4. No Certificate of Approval will be required for any temporary structures associated with a Special Event Permit issued by the Seattle Special Events Committee.

Section 3. INCENTIVES

A. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use.

B. Building and Energy Code exceptions on an application basis.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. The Gas Works Park and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.

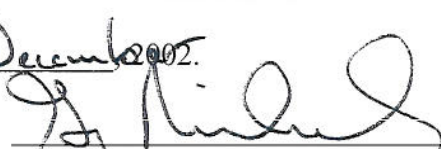


Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.


Passed by the City Council the 16th day of December, 2002, and signed by me in open session in authentication of its passage this 16th day of December, 2002.



President _____ of the City Council

Approved by me this 20 day of December, 2002.


Gregory J. Nickels, Mayor

Filed by me this 20th day of December, 2002.


City Clerk

(Seal)

